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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _28 August 2008_.

2a) ☐ This action is **FINAL**.    2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-25_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/28/2008 has been entered.

2. This action is responding to application amendment filed on 10-31-2003. Claims 1 - 25 are pending. Claims **1, 17, 20, 22** have been amended. Claims **23 - 25** are new. Claims **1, 17, 20** are independent.

### *Response to Arguments*

3 Applicant's arguments filed 8/28/2008 have been fully considered but they are moot based on new grounds of rejection.

### *Claim Rejections - 35 USC § 103*

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims **1 - 6, 8 - 14, 17 - 23** are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Savage, III et al.** (US PGPUB No. **20010009014**) in view of **Battle**

(US Patent No. **6,081,592**) and further in view of **Brown et al.** (US PGPUB No.

20020080822).

**Regarding Claim 1**, Savage discloses an apparatus, comprising:

1) one or more application server components that transmit one or more user inputs

to one or more telephony devices on a call through employment of one or more

data streams associated with the call.  (Savage para 017, ll 1-6; multiple servers,

multiple clients (i.e. telephony devices); para 108, ll 5-9: telephony devices (i.e.

electronic transmission of voice, RTP); para 017, ll 8-14: client requests (i.e. user

inputs); para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: data transmissions

between multiple clients (i.e. telephony devices) utilizing servers, conference

communications)

2) wherein the one or more application server components establish the one or

more data streams via employment of

a) one or more data stream request messages (Savage para 017, ll 8-14: client

requests (i.e. user inputs); para 048, ll 1-13; para 049, ll 4-5: in response to

setup call (request))

b) one or more identifiers which distinguish calls associated with one or more

application server components  (Savage para 091, ll 6-15: stream, identifier:

para 050, ll 1-8: as identifier within parameter)

Savage does not explicitly disclose application server components selecting

identifiers through employment of one or more methods.  However, Battle

discloses wherein the application server components select identifiers through
employment of one or more methods. (Battle col 29, ll 55-57: random method
(one method) used to select; call station selected from the list of eligible call
stations; col 30, ll 2-7: random number is computed which ranges from 1 to
number of call stations; call station at the position of random number becomes
the one selected)

Savage-Battle does not explicitly disclose that one or more application server
components select identifiers and the at least one of the one or more methods is
a static selection method. However, Brown discloses wherein the one or more
application server components select the one or more identifiers through
employment of one or more methods, and at least one of the one or more
methods is a static selection method. (Brown para 029, ll 11-16: selecting an
identifier via a selection algorithm, using an assigned session identifier and an
application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify
Savage for one or more application server components to select the one or more
identifiers through employment of one or more methods as taught by Battle, and
to modify Savage-Battle for application server components to select identifiers
through employment of one or more methods whereby at least one methods is a
static selection method as taught by Brown. One of ordinary skill in the art
would have been motivated to employ the teachings of Battle in order for greater

flexibility in structuring both regular and call-handling tasks to automatically direct

call work to individuals (Battle col 3, ll 17-20: " ... *Also present methods don't*

*support the mixing of work types--regular work and call work--thereby foregoing*

*the more extensive use of new call support technologies and the added variety*

*and extra scope that could enrich jobs and lead to accompanying benefits from*

*lower turnover and more enthusiastic work performances.  ...* "), and to employ

the teachings of Brown in order to carry on multiple distinct sessions with various

applications by using session identifiers to link the messages and associate

these messages with their proper application.   (Brown para 012, ll 5-13: " ... *The*

*subject invention also permits an end-terminal, such as a mobile telephone or the*

*like, to carry on multiple distinct sessions with various applications by using the*

*relevant session identifier to link the messages together in a contextual manner*

*and associate these messages with their proper application.   ...* ")


**Regarding Claim 2**, Savage discloses the apparatus of claim 1, wherein the one or

more application server components (Savage Figure 1; para 017, ll 1-6: server(s),

facilitate communications between clients) cooperate with the one or more telephony

devices to establish one or more web portals that are employable by the one or more

telephony devices to initiate the one or more user inputs. (Savage para 011, ll 4-9; para

005, ll 1-5: web portals interface, para 023, ll 1-6: user interface (i.e. at web portal) for

client (i.e. user) inputs)

**Regarding Claim 3**, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 017, ll 1-6: server(s), facilitate communications between clients) employ the one or more web portals to receive the one or more user inputs from the one or more telephony devices. (Savage para 011, ll 1-9; para 005, ll 1-5: web portals, real-time communications between clients; para 019, ll 8-15; para 089, ll 4-6: user inputs transferred between clients (i.e. telephony devices))


**Regarding Claim 4**, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 017, ll 1-6: server(s), facilitate communications between clients) associate the one or more web portals with the one or more data streams. (Savage para 011, ll 1-9: web portal, real-time communications among multiple clients; para 019, ll 8-15; para 089, ll 4-6: server(s) control communications (i.e. data streams) between clients)


**Regarding Claim 5**, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 017, ll 1-6: server(s), facilitate communications between clients) provide one or more interfaces through employment of the one or more web portals for employment by the one or more telephony devices to initiate the one or more user inputs. (Savage para 017, ll 8-14; para 022, ll 1-11: setup of data streams between two clients)

**Regarding Claim 6**, Savage discloses the apparatus of claim 2, wherein the one or
more application server components (Savage Figure 1; para 019, ll 1-4: server(s),
facilitate communications between clients) employ an internet protocol to establish the
one or more web portals. (Savage para 108, ll 5-9; para 095, ll 1-7: RTP, UDP/IP (i.e.
Internet protocols) utilized; para 040, ll 3-6: Internet communications between servers
and clients)


**Regarding Claim 8**, Savage discloses the apparatus of claim 1, wherein the one or
more application server components allow the one or more telephony devices to interact
through employment of the one or more data streams.  (Savage para 019, ll 8-15; para
089, ll 4-6: data streams (i.e. incoming and outgoing) utilized for communications
between clients, controlled by servers)


**Regarding Claim 9**, Savage discloses the apparatus of claim 8,

a) wherein the one or more application server components employ the one or more
   data streams to transfer data related to one or more interactions available to the
   one or more telephony devices; (Savage para 019, ll 8-15; para 086, ll 1-6:
   server(s) control communications between multiple clients (i.e. telephony
   devices)) and

b) wherein the one or more application server components provide the one or more
   interactions to the one or more telephony devices for employment by the one or
   more telephony devices to interact with one or more of the one or more

telephony devices. (Savage para 019, ll 8-15; para 086, ll 1-6: server(s) control

the communications (i.e. interactions) between multiple clients (i.e. telephony

devices))

**Regarding Claim 10**, Savage discloses the apparatus of claim 9, wherein the one or

more application server components associate the call with the one or more interactions

available, and wherein the one or more application server components provide the one

or more interactions available that allow the telephony devices to initiate the one or

more user inputs from the one or more available interactions. (Savage para 022, ll 1-11;

para 020, ll 8-16: server (i.e. dispatch server) initiates communications for clients (i.e.

telephony device))

**Regarding Claim 11**, Savage discloses the apparatus of claim 8,

   a) wherein the one or more application server components comprise a first

   application server component and a second application server component, and

   wherein the one or more telephony devices comprise a first telephony device and

   a second telephony device; (Savage Figure 1; para 017, ll 1-6: multiple server

   (i.e. application server), multiple clients (i.e. telephony devices)): and

   b) wherein the first application server component provides one or more interactions

   available to the first telephony device that allow the first telephony device to

   initiate a user input from the one or more interactions available; (Savage para

   017, ll 8-14; para 023, ll 1-6: user interface to initiate communications,

conference)  and

c)  wherein in response to the user input from the first telephony device to the first

application server component, the first application server component transmits

the user input to the second application server component through employment

of the one or more data streams; (Savage para 019, ll 8-15; para 089, ll 4-6: data

streams utilized for communications between clients (i.e. telephony devices)) and

d)  wherein the second application server component provides the user input to the

second telephony device. (Savage para 019, ll 8-15; para 089, ll 1-6: server(s)

control communications for clients (i.e. first, second telephony devices))


**Regarding Claim 12**, Savage discloses the apparatus of claim 11,

a)  wherein the user input comprises a first user input of the one or more user inputs,

and wherein the second telephony device initiates a second user input to the first

telephony device; (Savage para 019, ll 8-15; para 089, ll 1-8; para 052, ll 1-7:

first, second clients (i.e. first, second telephony devices) in communications,

conference capability, multiple clients (i.e. telephony devices) in communications)

b)  wherein the first application server component and the second application server

component cooperate to transmit the second user input to the first application

server component through employment of the one or more data streams;

(Savage para 048, ll 3-6: dispatch server, media server communicate for

authentication, authentication server validates request and transmits request to

dispatch server; para 052, ll 1-7: multiple clients (i.e. telephony devices) in

communications)

c) wherein the first application server component provides the second user input to
the first telephony device. (Savage para 019, ll 8-15; para 089, ll 1-6: data
stream, input/response for clients (i.e. telephony devices), multiple clients (i.e.
telephony devices) in communications)

**Regarding Claim 13**, Savage discloses the apparatus of claim 2,

a) wherein the one or more user inputs comprise one or more sales interactions
(Savage para 056, ll 8-14: sales function interaction), wherein the one or more
telephony devices comprise a first telephony device and a second telephony
device;  (Savage Figure 1; para 011, ll 1-4: multiple clients (i.e. first, second
telephony devices))

b) wherein the one or more application server components provide the one or more
sales interactions (Savage para 056, ll 8-14: sales function interaction) that allow
the first telephony device to initiate one or more of the one or more sales
interactions to the second telephony device; (Savage para 019, ll 8-15; para 089,
ll 4-6: information exchanged between multiple clients (i.e. first, second)) and

c) wherein the one or more application server components cooperate to transmit the
one or more of the one or more sales interactions (Savage para 056, ll 8-14:
sales function interaction) from the first telephony device to the second telephony
device through employment of the one or more data streams. (Savage para 019,
ll 8-15; para 089, ll 1-6: data streams (i.e. incoming, outgoing) transmit

information between clients (i.e. telephony devices))


**Regarding Claim 14**, Savage discloses the apparatus of claim 13,

    a) wherein the one or more sales interactions (Savage para 056, ll 8-14: sales

        function interaction) comprise a request for authorization, and wherein the one or

        more application server components provide the one or more sales interactions

        that allow the first telephony device to initiate the request for authorization to the

        second telephony device; (Savage para 048, ll 1-13; para 073, ll 1-9:

        authentication, validation request for client) and

    b) wherein in response to the request for authorization from the first telephony

        device to the first application server component, the first application server

        component transmits the request for authorization to the second application

        server component through employment of the one or more data streams;

        (Savage para 048, ll 3-6: servers communicate for authentication, authentication

        server validates request and transmits request to dispatch server)

    c) wherein the second application server component provides the request for

        authorization to the second telephony device that allows the second telephony

        device to initiate a response to the request for authorization. (Savage para 048, ll

        1-13; para 073, ll 1-9: authentication, validation request of clients (i.e. first,

        second telephony devices))


**Regarding Claim 17**, Savage discloses a method, comprising the step of:

1) transmitting one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call. (Savage para 017, ll 1-6: multiple clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 4-6: data stream (i.e. user inputs/responses) transmitted between clients)

2) wherein the one or more application server components establish the one or more data streams via employment of

   a) one or more data stream request messages (Savage para 017, lines 8-14: client requests (i.e. user inputs); para 048, ll 1-13; para 049, ll 4-5: in response to setup call (request))

   b) one or more identifiers which distinguish calls associated with one or more application server components (Savage para 091, ll 6-15: stream, identifier: para 050, ll 1-8: as identifier within parameter)

Savage does not explicitly disclose application server components selecting identifiers through employment of one or more methods. However, Battle discloses wherein the application server components select the identifiers through employment of one or more methods. (Battle col 29, ll 55-57: random method (one method) is used to select; call station selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected)

Savage-Battle does not explicitly disclose that application server components select identifiers and at least one of the methods is a static selection method. However, Brown discloses wherein the one or more application server components selecting the one or more identifiers through employment of <u>one or more methods, and at least one of the one or more methods is a static selection method</u>. (Brown para 029, ll 11-16: selecting an identifier via a selection algorithm, using an assigned session identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage for application server components to select identifiers through employment of one or more methods as taught by Battle, and to modify Savage-Battle for application server components to select the identifiers through employment of one or more methods, and at least one of the methods is a static selection method as taught by Brown.   One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals (Battle col 3, ll 17-20), and to employ the teachings of Brown in order to employ the teachings of Brown in order to carry on multiple distinct sessions with various applications by using session identifiers to link the messages and associate these messages with their proper application (Brown para 012, ll 5-13).

**Regarding Claim 18**, Savage discloses the method of claim 17, wherein the step of

transmitting the one or more user inputs the one or more telephony devices on the call

through employment of the one or more data streams associated with the call

comprises the steps of:

    a) establishing one or more web portals with the one or more telephony devices;

       (Savage para 011, ll 1-9: web portal, communications with multiple clients (i.e.

       telephony devices))

    b) initiating the one or more user inputs through employment of the one or more

       web portals; (Savage para 011, ll 1-9: web portals, real-time communications

       between portal and clients (i.e. telephony devices); para 023, ll 1-6: user

       interface, user inputs) and

    c) transmitting the one or more user inputs through employment of the one or more

       data streams. (Savage para 019, ll 8-15; para 089, ll 1-6: data stream

       transmissions for client (i.e. user) inputs/responses)


**Regarding Claim 19**, Savage discloses the method of claim 18, wherein the one or

more telephony devices comprise a first telephony device and a second telephony

device, and wherein the step of transmitting the one or more user inputs through

employment of the one or more data streams comprises the steps of:

    a) associating the one or more web portals with the call; (Savage para 011, ll 1-9:

       web portal; para 040, ll 3-6: communications network; para 051, ll 5-26: call

       setup/communications capabilities) and

    b) associating the one or more web portals with the one or more data streams.

(Savage para 011, ll 1-9: portals communications; para 089, ll 4-6; para 019, ll 8-15: data stream (i.e. incoming, outgoing), communications between clients (i.e. telephony devices))

**Regarding Claim 20**, Savage discloses a computer-readable medium having computer executable instructions for performing steps, comprising:

1) means in the one or more media for transmitting one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call.  (Savage para 131, ll 1-8: software, implementation means)

2) wherein the one or more application server components establish the one or more data streams via employment of

   a) one or more data stream request messages (Savage para 017, ll 8-14: client requests (i.e. user inputs); para 048, ll 1-13; para 049, ll 4-5: in response to setup call (request))

   b) one or more identifiers which distinguish calls associated with one or more application server components  (Savage para 091, ll 6-15: stream, identifier: para 050, ll 1-8: as identifier within parameter)

Savage does not explicitly disclose application server components selecting identifiers through employment of one or more methods.  However, Battle discloses wherein the application server components selecting identifiers through employment of one or more methods.  (Battle col 29, ll 55-57: random method is

used to select; call station selected from the list of eligible call stations; col 30, ll

2-7: random number is computed which ranges from 1 to number of call stations;

call station at the position of random number becomes the one selected)

Savage-Battle does not explicitly disclose that application server components

select identifiers and at least one of the methods is a static selection method.

However, Brown discloses wherein the one or more application server

components select the one or more identifiers through employment of <u>one or</u>

<u>more methods, and at least one of the one or more methods is a static selection</u>

<u>method</u>. (Brown para 029, ll 11-16: selecting an identifier via a selection

algorithm, using an assigned session identifier and an application identifier; para

032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify

Savage for application server components to select identifiers through

employment of one or more methods as taught by Battle, and to modify Savage-

Battle for application server components to select identifiers through employment

of one or more methods, and at least one of the methods is a static selection

method as taught by Brown.   One of ordinary skill in the art would have been

motivated to employ the teachings of Battle in order for greater flexibility in

structuring both regular and call-handling tasks to automatically direct call work to

individuals (Battle col 3, ll 17-20), and to employ the teachings of Brown in order

to employ the teachings of Brown in order to carry on multiple distinct sessions

with various applications by using session identifiers to link the messages and

associate these messages with their proper application (Brown para 012, ll 5-13).

**Regarding Claim 21**, Savage discloses the apparatus of claim 1, wherein the one or

more identifiers comprise a network address, a port number, and an identification tag.

(Savage para 050, ll 1-8: as identifier within parameter; para 094, 13-16: source ID

(used to identify client))

**Regarding Claim 22**, Savage discloses the apparatus of claim 1. Savage does not

explicitly disclose application server components selecting identifiers through

employment of one or more methods. However, Battle discloses wherein the

application server components selecting the identifiers through employment of one or

more methods.  (Battle Figure 1 (40): switch component; col 29, ll 55-57: random

method is used to select; call station selected from the list of eligible call stations; col

30, ll 2-7: random number is computed which ranges from 1 to number of call stations;

call station at the position of random number becomes the one selected)

Savage-Battle does not explicitly disclose that application server components select

identifiers and at least one of the one or more methods is a static selection method.

However, Brown discloses wherein the one or more application server components

select the one or more identifiers through employment of one or more methods, and at

least one of the one or more methods is a static selection method. (Brown para 029, ll

11-16: selecting an identifier via a selection algorithm, using an assigned session

identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection

algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage for

application server components to select identifiers through employment of one or more

methods as taught by Battle, and to modify Savage-Battle for application server

components to select identifiers through employment of one or more methods, and at

least one of the methods is a static selection method as taught by Brown.   One of

ordinary skill in the art would have been motivated to employ the teachings of Battle in

order for greater flexibility in structuring both regular and call-handling tasks to

automatically direct call work to individuals (Battle col 3, ll 17-20), and to employ the

teachings of Brown in order to employ the teachings of Brown in order to carry on

multiple distinct sessions with various applications by using session identifiers to link the

messages and associate these messages with their proper application (Brown para

012, ll 5-13).

**Regarding Claim 23**, Savage discloses the apparatus of claim 1.  (Savage para 017, ll

1-6; multiple servers, multiple clients (i.e. telephony devices); para 019, ll 8-15; para

089, ll 1-6; para 052, ll 1-7: data transmissions between multiple clients (i.e. telephony

devices) utilizing servers, conference communications)  Savage does not explicitly

disclose a selection using one of the one or more methods and a switch component.

However, Battle discloses wherein a selection using one of the one or more methods.

(Battle col 29, ll 55-57: random method (one method) used to select; call station

selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected) And, Battle discloses wherein information provided by a switch component. (Battle col 7, ll 40-46: switch hardware, used in connecting calls; col 21, ll 1-4: call coupling and call processing control means in a switch)

It would have been obvious to one of ordinary skill in the art to modify Savage for a selection using one of the one or more methods and a switch component as taught by Battle. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals. (Battle col 3, ll 17-20)


5.      Claims **7, 15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Savage-Battle-Brown** and further in view of **Cloutier et al.** (US PGPUB No. **20040015405**).


**Regarding Claim 7**, Savage discloses the apparatus of claim 6, further comprising wherein the internet protocol, wherein the one or more application server components employ communications to establish the one or more web portals. (Savage para 040, ll 3-6: Internet communications; para 011, ll 4-9; para 005, ll 1-5: web portals interface)

Savage does not explicitly disclose the usage of HTTP communications protocol.
However, Cloutier discloses:

a) wherein the internet protocol comprises a HyperText Transport Protocol (HTTP);

(Cloutier para 016, ll 5-11: telephony services; para 058, ll 5-12: web portal

capabilities; para 055, ll 5-9:, HTTP protocol, HTML language); and

b) wherein employ the HyperText Transport Protocol (Cloutier para 016, ll 5-11:

telephony services; para 058, ll 5-12: web portal capabilities; para 055, ll 5-9:,

HTTP protocol, HTML language)

It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to the HTTP protocol and HTML

language. One of ordinary skill in the art would have been motivated to employ the

teachings of Cloutier in order to enable a more efficient service provider selection

process by providing a single interface to evaluate broadband service providers.

(Cloutier para 092, ll 10-16: " ... *Current HFC open access systems do not allow for*

*an end-user to select among multiple SPs via a single user interface. This invention*

*improves the SP selection process, and thus contributes to more efficient service*

*selection and activation by enabling the end-user to access a single interface, which*

*can be used to evaluate and select a desired SP for broadband services. ...* ")


**Regarding Claim 15**, Savage discloses the apparatus of claim 2,

a) wherein the one or more user inputs comprise one or more support interactions,

and wherein the one or more telephony devices comprise a first telephony device

and a second telephony device; (Savage para 017, ll 1-6: multiple clients (i.e.

first, second telephony devices); para 019, ll 8-15; para 089, ll 1-6:

communications between clients (i.e. first, second telephony devices)) and

b) wherein the one or more application server components provide the one or more

support interactions that allow the first telephony device to initiate one or more of

the one or more interactions to the second telephony device; (Savage para 019,

ll 8-15; para 089, ll 1-6: communications between clients; para 052, ll 1-7:

multiple client communications, conference) and

c) wherein the one or more application server components cooperate to transmit the

one or more of the one or more interactions to the second telephony device

through employment of the one or more data streams. (Savage para 019, ll 8-15;

para 089, ll 1-6: communications between clients; para 052, ll 1-7: multiple client

communications, conference)

Savage does not explicitly disclose one or more support interactions.

However, Cloutier discloses wherein one or more support interactions.  (Cloutier

para 016, ll 5-11: telephony services; para 058, ll 5-12: web portal capabilities; para

026, ll 1-4; para 046, ll 10-23: support services interactions)

It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to utilize support interaction.  One of

ordinary skill in the art would have been motivated to employ the teachings of

Cloutier in order to enable a more efficient service provider selection process by

providing a single interface to evaluate broadband service providers.  (Cloutier para

092, ll 10-16)

**Regarding Claim 16**, Savage discloses the apparatus of claim 15,

a) wherein the one or more support interactions comprise a service, and wherein the one or more application server components provide the one or more interactions to allow a user of the first telephony device to initiate the service to the second telephony device; (Savage para 019, ll 8-15; para 089, ll 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) and

b) wherein in response to the service from the first telephony device to the one or more application server components, the one or more application server components transmit the service to the second telephony device through employment of the one or more data streams; (Savage para 019, ll 8-15; para 089, ll 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) and

c) wherein the one or more application server components provide the service to the second telephony device that allows the first telephony device to interact with the second telephony device. (Savage para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: communications, interaction between first and second client (i.e. first, second telephony devices))

Savage does not explicitly disclose diagnostic service interactions.

However, Cloutier discloses wherein diagnostic service. (Cloutier para 016, ll 5-11: telephony services; para 058, ll 5-12: web portal capabilities; para 047, ll 4-10; para 062, ll 1-9: maintenance (i.e. diagnostic) service interactions)

 It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to utilize diagnostic service

interactions.  One of ordinary skill in the art would have been motivated to employ

the teachings of Cloutier in order to enable a more efficient service provider

selection process by providing a single interface to evaluate broadband service

providers.  (Cloutier para 092, ll 10-16)


6.      Claims **24, 25** are rejected under 35 U.S.C. 103 (a) as being unpatentable over

**Savage-Battle-Brown** and further in view of **Strathmeyer et al.** (US Patent No.

**7,372,957**).


**Regarding Claim 24**, Savage discloses the apparatus of claim 1 wherein one or more

application server components.   (Savage para 017, ll 1-6; multiple servers, multiple

clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: data

transmissions between multiple clients (i.e. telephony devices) utilizing servers,

conference communications)  Savage does not explicitly disclose a Session Initiation

Protocol (SIP) to communicate with switch components.  However, Strathmeyer

discloses wherein employing a Session Initiation Protocol (SIP) to communicate with

switch components.  (Strathmeyer col 8, ll 5-10: generate SIP invite messages or other

call setup messages)

        It would have been obvious to one of ordinary skill in the art to modify Savage for a

Session Initiation Protocol (SIP) to communicate with switch components as taught by

Strathmeyer.  One of ordinary skill in the art would have been motivated to employ the

teachings of Strathmeyer for greater flexibility of configuration, easier adjustment of

operational characteristics, and technical familiarity with modular packet-switched

networks, reduced costs, and usage of standards.   (Strathmeyer col. 3, lines 15-20: " ...

*These advantages may include, for example, greater flexibility of configuration, easier*

*adjustment of operational characteristics, technical familiarity to those skilled in the art*

*of modular packet-switched networks, reduced cost due to the commodity nature of the*

*modular components utilized, and use of standards. ... ")*


**Regarding Claim 25**, Savage discloses the apparatus of claim 1 wherein the one or

more application server components transfer data.  (Savage para 017, ll 1-6; multiple

servers, multiple clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 1-6; para

052, ll 1-7: data transmissions between multiple clients (i.e. telephony devices) utilizing

servers, conference communications)  Savage does not explicitly disclose an extended

Markup Language (XML) interface.  However, Strathmeyer discloses wherein an

extended Markup Language (XML) interface.   (Strathmeyer col 4, ll 25-35: media

processing instructions such as VoiceXML (XML interface for processing media); col 11,

ll 41-52: XML based language used to create services that can be accessed over the

phone (call processing))

It would have been obvious to one of ordinary skill in the art to modify Savage fro

an extended Markup Language (XML) interface as taught by Strathmeyer.   One of

ordinary skill in the art would have been motivated to employ the teachings of

Strathmeyer for greater flexibility of configuration, easier adjustment of operational

characteristics, and technical familiarity with modular packet-switched networks,

reduced costs, and usage of standards.   (Strathmeyer col. 3, lines 15-20)

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kyung Hye Shin whose telephone number is (571) 272-

3920.  The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tonia L. Dollinger can be reached on (571) 272 - 4170.  The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

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Kyung Hye Shin
Examiner
Art Unit 2143

KHS
September 11, 2008


/Tonia LM Dollinger/

Supervisory Patent Examiner, Art Unit 2143